

**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled CANNULAE FOR SELECTIVELY ENHANCING BLOOD FLOW; the specification of which was filed on **December 12, 2003** as Application Serial No. 10/735,413.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Steven F. Bolling**

Inventor's signature _____

Date _____

Residence: **3456 Daleview, Ann Arbor, Michigan 48105**

Citizenship: **United States**

Post Office Address: **Same as Above**

Full name of second inventor: **Anthony Viole**

Inventor's signature _____

Date 10 Feb 04

Residence: **24 Camarin Street, Foothill Ranch, California 92610**

Citizenship: **United States**

Post Office Address: **Same as Above**

Full name of third inventor: **Shawn O'Leary**

Inventor's signature _____

Date 16 FEB '04

Residence: **22745 Via Santa Rosa, Mission Viejo, California 92691**

Citizenship: **United States**

Post Office Address: **Same as Above**

Full name of fourth inventor: **Robert Pecor**

Inventor's signature _____

Date 10 FEB, 2004

Residence: **8 Woodcrest Lane, Aliso Viejo, CA 92656**

Citizenship: **United States**

Post Office Address: **Same as Above**

Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Steven F. Bolling et al.)
App. No. : 10/735,413)
Filed : December 12, 2003)
For : CANNULAE FOR SELECTIVELY)
ENHANCING BLOOD FLOW)
Examiner : Unknown)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventors to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this

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application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Dated: 10 Feb 04

ORQIS MEDICAL CORPORATION

By: 
Kenneth Charhut

Title: President and CEO

Address: 14 Orchard Road, Suite 100
Lake Forest, California 92630

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Filing Date: December 12, 2003

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Client Code: ORQIS.018A
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ASSIGNMENT

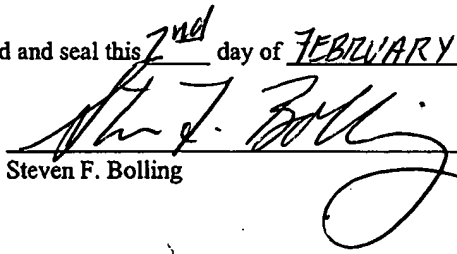
WHEREAS, We, Steven F. Bolling, a United States citizen, residing at 3456 Daleview, Ann Arbor, Michigan, Anthony Viole, a United States citizen, residing at 24 Camarin Street, Foothill Ranch, California, Shawn O'Leary, a United States citizen, residing at 22745 Via Santa Rosa, Mission Viejo, California and Robert Pecor, a United States citizen, residing at 8 Woodcrest Lane, Aliso Viejo, California 92656 have invented certain new and useful improvements in a CANNULAE FOR SELECTIVELY ENHANCING BLOOD FLOW for which we have filed an application for Letters Patent in the United States, Application No. 10/735,413, Filed on December 12, 2003;

AND WHEREAS, Orqis Medical Corporation (hereinafter "ASSIGNEE"), with its principal place of business at 14 Orchard Road, Suite 100, Lake Forest, California, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7th day of FEBRUARY, 2004

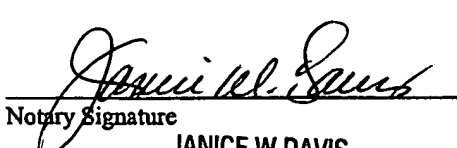

Steven F. Bolling

STATE OF Michigan
COUNTY OF Livingston ss.

On 2/2/04, before me, STEVEN Bolling, personally appeared Steven F. Bolling personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]


Notary Signature

JANICE W DAVIS
Notary Public, Livingston County, MI
My Commission Expires Sep 4, 2004

Acting in Notary

Application No.: 10/735,413
Filing Date: December 12, 2003

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Client Code: ORQIS.018A
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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 10th day of FEB, 2004

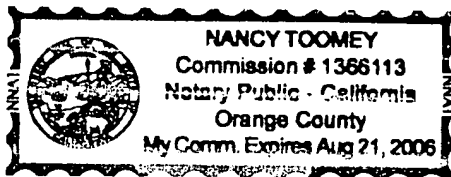

Anthony Viole

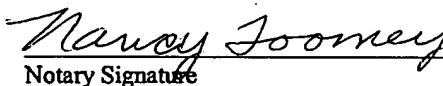
STATE OF CALIFORNIA }
COUNTY OF ORANGE } ss.

On 2/10/04, before me, NANCY TOOMEY, personally appeared Anthony Viole personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

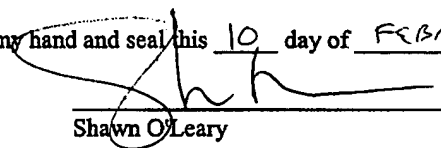
WITNESS my hand and official seal.

[SEAL]




Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 10 day of FEBRUARY, 2004.

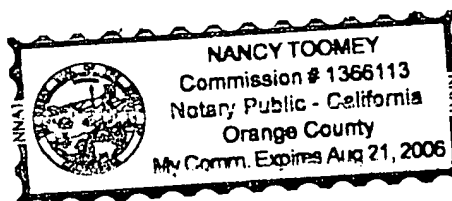
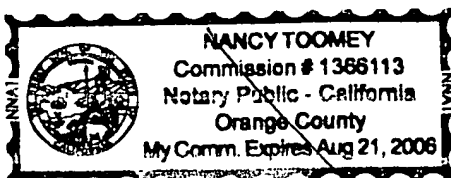

Shawn O'Leary

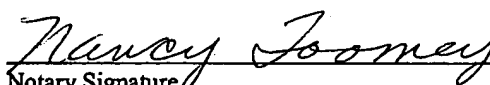
STATE OF CALIFORNIA }
COUNTY OF ORANGE } ss.

On 2/10/04, before me, NANCY TOOMEY, personally appeared Shawn O'Leary personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]




Notary Signature

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 10 day of FEB, 2004.

Robert Pecor

Robert Pecor

STATE OF CALIFORNIA }
COUNTY OF ORANGE } ss.

On 2/10/04, before me, NANCY TOOMEY, personally appeared Robert Pecor ~~personally known to me (or proved to me on the basis of satisfactory evidence)~~ to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Nancy Toomey
Notary Signature

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